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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/954,623	09/12/2001	James D. Pustejovsky	019497-000710US	6829
20350	7590	06/08/2005	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			ARTHUR JEANGLAUDE, GERTRUDE	
		ART UNIT	PAPER NUMBER	
		2144		

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/954,623	PUSTEJOVSKY, JAMES D.
	Examiner	Art Unit
	Gertrude Arthur-Jeanglaude	2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 February 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 10-20 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 10-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 12 September 2001 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____



DETAILED ACTION

Response to Amendment

The allowability of claims 10-20 has been withdrawn. Prosecution is reopen on this application in view of the newly found references.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 10-14, 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Gilmour (U.S. Pub No. 20020165861).

As to claim 10, Gilmour discloses a system for accessing electronic mail (e-mail) messages as shown in Fig. 1 comprising: an e-mail input module (28; as shown in Fig. 2) configured to receive input data and to produce an e-mail message comprising a text stream; a text analyzer (45; as shown in Fig.2) configured to receive the text stream and to segment the text stream into one or more lexical elements (via lexicon 49; Fig.2); a data store (27; as shown in Fig.1) configured to receive the text stream and to receive the lexical elements; a user input device (44; See Fig.3) configured to receive user input and to produce a query (See Fig. 17C); and an output device (display; see Fig.17C), the text analyzer further configured to receive the query, the text analyzer

further configured to retrieve portions of text contained in the data store based on the query, the text analyzer coupled to the output device to deliver the portions of text (See Fig. 1; Fig. 17D).

As to claim 11, Gilmour discloses as discussed the text analyzer (45; as shown in Fig. 2) is further configured to produce objects, each object corresponding to a portion of the text stream, each object having an associated lexical type (via lexicon 49; see Fig. 2; paragraph 0065).

As to claims 12, 17, Gilmour discloses the data store is a relational object oriented database (56A, 56B; as shown in Fig. 1; see paragraph 0065).

As to claim 13, Gilmour discloses an e-mail input module is incorporated in an application program (See paragraphs 0056, 0063).

As to claim 14, Gilmour discloses the application program (HTML) is an e-mail reader (See paragraph 0056).

As to claims 18-20, Gilmour discloses the text analyzer includes a tokenizer (recognizes nouns; see paragraph 0063) to produce plural segments of text from the text stream and to associate tokens with the segments of text (See paragraph 0065); wherein the text analyzer further includes a tagger to produce a tagged token by associating a tag with each token; and the text analyzer further includes a stemmer to produce a stem (See architectural structure; paragraph 0065) for each the tagged token.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilmour (U.S. Pub 20020165861) in view of Agraharam et al. (U.S. Pub No. 20040062365).

As to claims 15-16, Gilmour discloses all but fail to specifically disclose that the user input device includes a voice-to-text conversion module, wherein voice input is converted to text to produce the query and output device includes a text-to-voice conversion module. In an analogous art, Agraharam et al. disclose a voice messaging system for converting oral messages into text messages wherein it discloses the user input device includes a voice-to-text conversion module, wherein voice input is converted to text to produce the query and output device includes a text-to-voice conversion module (See paragraphs 0011, 0020, 0022). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Gilmour with that of Agraharam et al. by having a user input device includes a voice-to-text conversion module, wherein voice input is converted to text to produce the query and output device includes a text-to-voice conversion module in order to allow speech recognition in the electronic mail system.

Response to Arguments

Applicant's arguments with respect to claims 10-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wiley David can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ



June 5, 2005

Gertrude A. Jeanglaude
GERTRUDE A. JEANGLAUDE
PRIMARY EXAMINER